

REMARKS

This Request for Reconsideration is filed in response to the Office Action of April 17, 2006 in which claims 1-27 were rejected.

Regarding the objection to claims 23 and 24, these claims have been amended as suggested by the Examiner and withdrawal of the objection is requested.

In the Office Action, the Examiner has raised new rejections on the grounds of anticipation of claims 1-8 and 10-27 by Wylie (U.S. 5,974,329) under 35 U.S.C. §102(e). Wylie relates to a method and system for mobile location estimation in which range measurements between a mobile station and a base station are discriminated as being either from a base station which is in line-of-sight with the mobile station or a base station that is non-line-of-sight with the mobile station. Wylie also discloses a method for correcting error in range measurements from base stations that are non-line-of-sight with a mobile station.

In Wylie, a base station can be identified as being non-line-of-sight with a particular mobile station (which therefore means that range measurements between the base station and mobile station require correction) by comparing the standard deviation of standard measurement noise from the environment to the standard deviation of a smoothed range measurement obtained from a range measurement between the base station and the mobile station. When a base station is identified as being non-line-of-sight with a mobile station, the non-line-of-sight error can be corrected by reconstructing a line-of-sight range measurement by graphing a curve of the smoothed range measurements. The point of maximum deviation of the smoothed range measurements below the curve is determined. The curve is displaced downwards to pass through the point of maximum deviation. Thereafter, the curve is displaced upwards by the value of the maximum standard measurement noise deviation from a line-of-sight measurement with negligible noise, thereby providing a reconstructed range measurement (see column 2, line 23 to line 63).

Applicant submits that the present claims are novel over Wylie because Wylie does not disclose the feature of the present independent claims of calculating a characteristic parameter describing the line-of-sight conditions of the radio propagation environment of a receiving station, the characteristic parameter describing excess path lengths caused by obstacles in the environment by means of one of a number of discrete levels. An essential feature of the present invention is

that a parameter characteristic of the environment of the receiving station is determined, this parameter being represented by one of a number of discrete levels. This is explained in the present application at page 19, line 26 to page 21, line 29 in particular.

A skilled person would clearly understand from the present specification as a whole that the term “characteristic parameter” in the claims refers to a value which can be used to classify a particular area around a receiving station into one of a number of discrete levels. Thus the paragraph bridging pages 19 and 20 of the present application describes how a few different levels or classes (such as excellent, good, passable etc.) can be used to describe particular radio coverage areas according to their line-of-sight conditions. According to this classification system, the characteristic parameter for each base station can be measured once, for example during the network planning phase, and then stored in a location server for repeated use in multiple location calculations. This is because the characteristic parameter can be considered to be substantially stable and only needs to be updated when significant changes occur in the radio propagation environment (such as new buildings are constructed, see page 20, lines 18 to 30 of the present application).

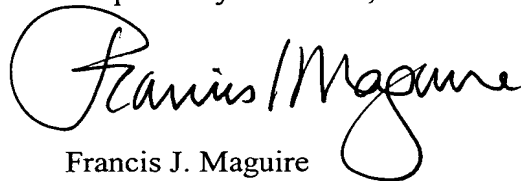
In contrast, in Wylie no such characteristic parameter representing one of a number of discrete levels is calculated. In Wylie, range measurements are analyzed to determine whether a base station is line-of-sight or non-line-of-sight with a particular mobile station. However, this determination does not represent a characteristic parameter as defined in the present claims for at least two reasons. First of all, identifying whether a base station is line-of-sight or non-line-of-sight with a mobile station does not involve a classification into one of a number of discrete levels. Secondly, this identification in Wylie does not produce a parameter characteristic of the radio propagation environment of the base station. The non-line-of-sight/line-of-sight determination in Wylie is performed each time a location measurement needs to be made between a specific mobile station and a specific base station. This contrasts from the present invention where a characteristic parameter of the environment of the base station can be calculated one, stored and then repeatedly used in location calculations for multiple mobile stations, due to the stability of this parameter.

Therefore, claims 1-8 and 10-27 are not anticipated by Wylie and withdrawal of the novelty rejection thereof is requested.

Regarding the 35 U.S.C. §103(a) rejection of claim 9 as being unpatentably obvious over Wylie in view of Hilsenrath et al (U.S. 6,026,304), claim 9 is patentable for at least the same reasons given above in overcoming the novelty rejection and withdrawal of the obviousness rejection of claim 9 is requested for at least the same reasons.

The objections and rejections of the Office Action of April 17, 2006, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-27 to issue is solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis J. Maguire". The signature is written in a cursive style with a large, looping initial "F".

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